



1722  
Hw/B

**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of

Docket No: Q58571

Masao TOKITA

Allowed: August 25, 2004

Appln. No.: 09/538,475

Group Art Unit: 1722

Confirmation No.: 8142

Examiner: T. Nguyen

Filed: March 30, 2000

For: METHOD AND APPARATUS FOR AUTOMATICALLY LOADING POWDER  
MATERIAL INTO A MOLD

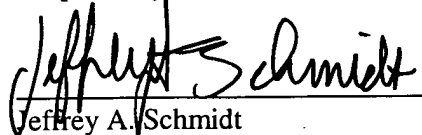
**Request for Return of Initialed PTO form-1449**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

On November 4, 2004, Applicants submitted an IDS along with a statement under 37 C.F.R. § 1.97(e) and a statement under Rule 1.704(d). Applicants have received a notice from the PTO indicating that the November 4 IDS was not considered because it failed to include a statement under Rule 1.97(e). This notice is in error. Attached is a copy of Applicants' November 4 submission, including a copy of the Rule 1.97(e) statement and PTO-date-stamped post card submitted therewith. Accordingly, Applicants respectfully request that the Examiner consider the references as cited November 4, and return an initialed PTO form-1449 so indicating.

Respectfully submitted,

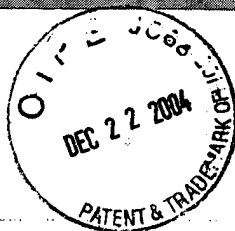
  
Jeffrey A. Schmidt  
Registration No. 41,574

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: December 22, 2004

INVOICE DATE	INVOICE NO.		GROSS		NET INVOICE
11/03/04	OPER: RHS 124001 058571				180.00
CHECK NO.	CHECK DATE		TOTAL GROSS		NET CHECK
259450	11/03/04	10456			180.00



**Sughrue**

SUGHRUE MION, PLLC

2100 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D.C. 20037-3213

DATE
11/03/04

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COMMISSIONER OF PATENTS  
AND TRADEMARKS

Q 58571

APPLN. NO. 59/535475

**NON-NEGOTIABLE**

*Cynthia C. Walker*

⑈ 259450⑈ ⑆055002707⑆ 206548885⑈

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MATERIAL INTO A MOLD

**STATEMENT UNDER 37 C.F.R. § 1.704(d)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**FILED**

NOV - 4 2004

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Jeffrey A. Schmidt  
Registration No. 41,574

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Telephone: (202) 293-7060  
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Date: November 4, 2004



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For: **METHOD AND APPARATUS FOR AUTOMATICALLY LOADING POWDER  
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**STATEMENT UNDER 37 C.F.R. § 1.97(e)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Information Disclosure Statement filed concurrently herewith was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of said Information Disclosure Statement.

Respectfully submitted,

Jeffrey A. Schmidt

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Masao TOKITA

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Examiner: T. Nguyen

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MATERIAL INTO A MOLD

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.97 and 1.98**

**MAIL STOP ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and which the Examiner may deem material to patentability of the claims of the above-identified application. One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications if this application was filed after June 30, 2003; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed after either a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), but before payment of the Issue Fee, and therefore Applicant is submitting herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

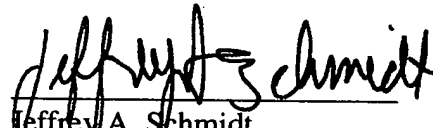
The present Information Disclosure Statement is being filed thirty days or fewer from the communication from a foreign patent office and a Statement Under 37 C.F.R. §1.704(d) is attached.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted,

  
Jeffrey A. Schmidt  
Registration No. 41.574

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: November 4, 2004

Substitute for Form 1449 A &amp; B/PTO

*Complete if Known*

**INFORMATION DISCLOSURE**  
**STATEMENT BY APPLICANT**

*(use as many sheets as necessary)*

Sheet

**1**

of

**1**

Application Number

09/538,475

**Confirmation Number**

8142

Filing Date

**March 30, 2000**

First Named Inventor

Masao TOKITA

### Art Unit

1722

Examiner Name

T. Nguyen

Attorney Docket Number

Q58571

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

## NON PATENT LITERATURE DOCUMENTS

[illegible]

**Examiner Signature**

**Date Considered**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.